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*Attorneys for Plaintiffs and proposed
collective action and class action members*
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**ANTHONY FRATTIN on behalf of himself
and others similarly situated,**

INDEX NO: 07 CV 3383 (PAC)

Plaintiff,

v.

**WEST 44th STREET RESTAURANT LLC,
d/b/a KELLARI TAVERNA, STAVROS
AKTIPIS, and HARSHAD SHAH,**

Defendants.

-----X

DECLARATION OF JOHN DOE

I, John Doe, under penalty of perjury, swear/affirm as follows:

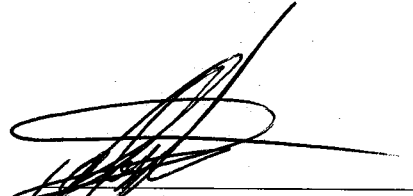
1. I am currently employed by Defendants as a server.
2. I am afraid to disclose my true name, and have used the pseudonym "John Doe," because I fear that Kellari will retaliate against me for participation in this lawsuit, as it did to Anthony Frattin.
3. In fact, management at Kellari has been interrogating current staff in an attempt to determine which employees are participating in this lawsuit.

4. Further, Mr. Aktipis convened a meeting at which he instructed the staff not to participate in this lawsuit.

5. As a result of Kellari's stated disapproval, the servers fear that they will lose their jobs if they participate in this suit.

6. Myself and several other servers would have otherwise joined this lawsuit, had we not been afraid of retaliation.

Dated: June 6, 2007



John Doe